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RUEHBY/AMEMBASSY CANBERRA PRIORITY 8825

RUEHUL/AMEMBASSY SEOUL PRIORITY 4724

RUEHKO/AMEMBASSY TOKYO PRIORITY 0852

RUEHWL/AMEMBASSY WELLINGTON PRIORITY 2321

RHEFDIA/DIA WASHDC PRIORITY

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RUEKJCS/SECDEF WASHINGTON DC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 001949

SIPDIS

DRL FOR BUCKLEY

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TAGS: PHUM PGOV TH KPAO

SUBJECT: THAILAND'S LEADING UNIVERSITY HOSTS DEBATE ON LESE MAJESTE LAW

REF: A. BANGKOK 01933 (THE PARLIAMENT'S TURN)

1B. BANGKOK 01662 (LESE MAJESTE)

Classified By: Acting Deputy Chief of Mission Anne S. Casper, reason 1.
4 (b) and (d).

SUMMARY

11. (C) Over 100 students and activists attended a panel on Thailand's lese majeste laws at Chulalongkorn University. Comments by panelists and audience members made it clear that few in the room felt Thailand benefited from laws designed to protect the King and select members of the royal family. Meanwhile, it appears that the Palace has endorsed prosecution of a man who failed to stand for the royal anthem in a movie theater. BBC reporter Jonathan Head (strictly protect) remained confident that accumulating lese majeste complaints against him will be dropped thanks to friends in high places. END SUMMARY

AN IMPEDIMENT TO PROGRESS

12. (SBU) On June 19, Chulalongkorn University -- Thailand's most prestigious academic institution -- hosted a panel discussion entitled "Lese Majeste: Legal Philosophy and History." The June 19 panel was sponsored by the 6 October 1976 Committee, an organization dedicated to seeking justice for those killed during a rally at Thammasat University, and the Turn Left Club, a student organization with a leftist or communist bent. Chief of the School of Government and Administration Chaiyan Chaiyaphon opened the discussion with high-volume statements about how lese majeste laws "obstruct the development of social enlightenment and academic discussion," stunting Thai society. The Dean of Faculty of Law at Chiangmai University added that lese majeste's extension to protect not only the King, but also any symbols of the King is a distortion of the law. He also said that police and public prosecutors always pursue lese majeste cases and forward them to the court since it would reflect poorly on them to dismiss a case where the Palace's honor is concerned. Former Bangkok senator Jon Ungpakorn, the only participant who said that the lese majeste law should not be abolished, urged the Thai monarchy, police, judges and religious leaders to have more transparency and be open to public examination. The Director of the Institute of Population Research at Mahidol University warned that if lese

majeste charges continue to escalate, the situation could result in senseless violence. She reminded the audience of the events of October 1976, explaining that radio messages and word-of-mouth inspired popular support for a crackdown on protesters at Thammasat University, mainly students, who were portrayed as calling for the end of the monarchy. At that time, scores of people at Thammasat University were killed or injured by the security forces.

A NON-EVENT, IN EYES OF PRESS

¶13. (C) Despite press presence and a multitude of video recording cameras throughout the audience, not a single one of Bangkok's 10 main newspapers covered the panel discussion.

One of the panel's organizers told PolOff that "part of the issue is establishing the right to talk about lese majeste, but when the mainstream media ignores it, this is another problem." On the evening of June 18, Manager Media's online news website, founded by Sondhi Limthongkul who leads the People's Alliance for Democracy (ref B), published two short articles reporting the details of the event and panelists. It blocked the option to add comments to one of the articles and no comments were posted about the second article, a notable absence for the website that seems to thrive on being a forum for public debate. A cameraman from ASTV, a satellite TV company under the Manager Media Outlet, recorded the entire event and even evoked commentary from the panelists. One panelist pointed to the ASTV cameraman and joked that the presence of panelist Chaiyan, a People's Alliance for Democracy (PAD) supporter and participant at the

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ongoing PAD rallies (ref A), saved them all from written attacks by Manager Media. He thanked Chaiyan for preventing Manager Media from "claiming that we're all anti-monarchists."

BUT NOT IGNORED BY POLICE

¶14. (C) Giles Ungpakorn, a professor at Chulalongkorn University who helped organize the panel discussion, told us that his students did not seem worried about attending the panel event nor did the presence of multiple video cameras, belonging to the press and audience members, seem to stifle discussion. He commented that he recognized a plain-clothed official of Police Special Branch and guessed that there were many others present. He added that participants should have felt safe since "it wasn't a general discussion about the monarchy," but a flow of ideas about the existing law and its application.

ONGOING LESE MAJESTE CASES

¶15. (C) Activist Chotisak Onsoong and his girlfriend Songkran Pongbunjan (protect) who have pending lese majeste cases for not standing for the royal anthem in a Bangkok movie theater also attended the discussion. Afterwards, they sold their trademark t-shirts, "To Not Stand Is Not A Crime," out of a small book bag to several students (ref B) and told PolOff that their lawyers were allegedly informed by the police that the Palace had given the green light to prosecute both cases.

It is not required for the police to consult with the Palace on lese majeste case and it remains unclear which cases get the attention of the Palace. Songkran said that she felt more nervous than before about the outcome of her case and appeared less confident than when PolOff last met with her.

¶16. (C) Separately, BBC reporter Jonathan Head (strictly protect) told PolOff on June 23 that although a police official has filed a second lese majeste complaint against him, he has been assured by former Prime Minister Anand Panyarachun, who made inquires on his behalf, and by the head of the Criminal Suppression Division Lieutenant General Somyos Phanphummuang that the lese majeste charges "would go

away." The new complaint against Head accused him of being in a conspiracy with Thaksin and Jakrapob based on articles Head wrote for the BBC and a photo of him shaking hands with Thaksin taken 6 or 7 years ago.

¶7. (C) Chairwoman of Triumph International Labor Union of Thailand Chittra Khotchadet also attended the panel. Once targeted by Manager's online news site after she wore one of Chotisak's t-shirts in public, Chittra told PolOff that she considered filing an official complaint against the Manager Daily to the National Press Council of Thailand (NPCT) after they published her address and other personal information online, seemingly to encourage readers "to go after her." After receiving death threats, she decided against filing a complaint out of fear of receiving "even more vicious reactions." Chotisak, whose personal information was also published online by Manager Media, filed three petitions against Manager Media to the NPCT, Thai Broadcast Journalist Association (TBJA), and the Thai Journalist Association (TJA). Chotisak told PolOff that the NPCT determined that his petition did not qualify for further investigation; his appeal is still pending. He added that the TBJA never responded to his complaint, and the TJA claimed they never received his petition.

COMMENT

¶8. (C) A small segment of Thai society remains willing to engage on the issue of lese majeste, but lese majeste remains an extremely sensitive subject for debate outside academic and activist circles. Those who find themselves the subjects of lese majeste complaints may be in for a long legal process with no clear pattern of resolution and no clear outlets or institutions of support.

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